

MESSAGE NO: 2163112 MESSAGE DATE: 06/11/1992

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-428-037

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 11/01/1987 TO 10/31/1988

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR DRYCLEANING MACHINERY FROM GERMANY -
SECO MACHINERY MASCHINENBAU GMBH AND CO.

MESSAGE NO: 2163112

DATE: 06 11 1992

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

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CASES: A - 428 - 037

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PERIOD COVERED: 11 01 1987 TO 10 31 1988

LIQ SUSPENSION DATE:

TO: REGIONAL DIRECTORS, COMMERCIAL OPERATIONS
DISTRICT DIRECTORS, AREA AND PORT DIRECTORS

FROM: DIRECTOR, IMPORT SPECIALIST DIVISION

RE: LIQUIDATION INSTRUCTIONS FOR DRYCLEANING MACHINERY FROM
GERMANY - SECO MACHINERY MASCHINENBAU GMBH AND CO.

FOR ALL SHIPMENTS OF GERMAN DRYCLEANING MACHINERY EXPORTED BY
SECO MASCHINENBAU GMBH AND CO., AND SOLD DURING THE PERIOD
NOVEMBER 1, 1987 THROUGH OCTOBER 31, 1988, ASSESS A DUMPING
LIABILITY EQUAL TO 4.44 PERCENT OF THE U.S. PRICE. U.S. PRICE IS
EQUAL TO THE HIGHER OF THE INVOICE PRICE OR THE ENTERED VALUE
LESS ALL DEDUCTIONS NECESSARY TO ARRIVE AT AN EX-FACTORY, PACKED
PRICE.

IN ALL CASES CALCULATE THE FOREIGN MARKET VALUE TO EQUAL AN

AMOUNT WHICH IS 4.44 PERCENT HIGHER THAN THE U.S. PRICE.

IN ACCORDANCE WITH C.I.E. N-15\ 88 DATED APRIL 21, 1988, REPORT TO CUSTOMS SERVICE HEADQUARTERS ANY DUMPING DUTIES DUE.

IMMEDIATELY FORWARD TO CUSTOMS SERVICE HEADQUARTERS ANY INFORMATION ON FILE WHICH MIGHT AFFECT THE APPRAISED VALUES UNDER THE ANTIDUMPING PROVISIONS, WITH AN EXPLANATION OF THE CIRCUMSTANCES UNDER WHICH IT WAS RECEIVED. IN SUCH A CASE, SUSPEND LIQUIDATION OF THE AFFECTED ENTRIES UNTIL A DECISION IS MADE CONCERNING THE APPLICABILITY OF THE ADDITIONAL INFORMATION.

WHENEVER THE USE OF THE ABOVE VALUES RESULTS IN THE ASSESSMENT OF ANTIDUMPING DUTIES, YOU SHOULD REQUIRE OF THE IMPORTER PRIOR TO LIQUIDATION THE REIMBURSEMENT STATEMENT DESCRIBED IN SECTION 353.26 OF THE COMMERCE DEPARTMENT REGULATIONS. IF THE IMPORTER HAS BEEN REIMBURSED ANTIDUMPING DUTIES OR FAILS TO RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES DUE IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION.

THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT, WHICH REQUIRES INTEREST ON OVERPAYMENTS OR UNDERPAYMENTS OF THE AMOUNT

DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED DUTIES THROUGH THE DATE OF LIQUIDATION.

YOU MAY RELEASE APPRAISED VALUES TO THE INDIVIDUAL IMPORTER CONCERNED OR HIS AUTHORIZED REPRESENTATIVE. YOU MAY NOT RELEASE ANY DETAILS OF THE CALCULATIONS OF APPRAISED VALUES WITHOUT AUTHORIZATION OF CUSTOMS SERVICE HEADQUARTERS.

EFFECTIVE AS OF THE DATE OF ISSUANCE OF THIS EMAIL, YOU SHOULD NO LONGER SUSPEND LIQUIDATION OF ENTRIES COVERED BY THIS MASTER LIST AND YOU SHOULD PROCEED WITH LIQUIDATION ACCORDINGLY.

IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT THE IMPORT SPECIALIST DIVISION, OTHER AGENCY BRANCH, AT FTS\202 566-8651 OR BY EMAIL TO ATTRIBUTE HQ OAB. THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT THE OFFICE OF ANTIDUMPING COMPLIANCE, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE AT (202) 377-5253.

NANCY MCTIERNAN

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party